

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Aaron L. Jones,

: CASE NO.: 20CV-3301

JUDGE MORRISON

Plaintiff,

: MAGISTRATE JUDGE PRESTON
DEAVERS

v.

:

Mike DeWine, *et al.*,

:

Defendants.

:

OPINION AND ORDER

The Magistrate Judge’s December 30, 2021 Order and Report and Recommendation (“December R and R”) found Plaintiff Aaron Jones to be a “three striker” under 28 U.S.C. § 1915(g). (No. 50, PageID 449.) The December R and R recommended: (1) denial of his *in forma pauperis* application; (2) requiring Mr. Jones to pay the full filing fee within thirty days of the December R and R; and (3) holding an appeal of any order adopting the December R and R would be in bad faith. *Id.*, PageID 449-450.

Mr. Jones timely objected to the December R and R, arguing that he previously fully paid the filing fee. (No. 51, PageID 453.) In response, the Magistrate Judge’s January 12, 2022 Order and Report and Recommendation (“January R and R”) amended and clarified the December R and R “to the extent that it is hereby **LIMITED** to the recommendation that the Court deny Plaintiff’s Application to Proceed *In Forma Pauperis*” (No. 52, PageID 458.) The January R and R also recommended that the Undersigned direct the Clerk to reimburse Mr. Jones \$20.31, the sum he paid in excess of the applicable filing fee. *Id.*, PageID 459.

Mr. Jones did not object to the January R and R. Accordingly, the Court **ADOPTS** the January R and R (No. 52), **DENIES** Mr. Jones' Application to Proceed *In Forma Pauperis* (No. 14), and **ORDERS** the Clerk to reimburse Mr. Jones \$20.31 for his filing fee overpayment.

IT IS SO ORDERED.

s/Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE